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CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
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REDACTED FOR
PUBLIC DISCLOSURE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

1. Gabriela Zepeda,
(Counts 1-10, and 22)
2. Damaris Ariadne Romero Tamayo,
(Counts 11-19)
3. Noe Octavio Rodriguez Macias,
(Counts 6-10, 16-19, 21, and 24)
4. Marissa Gamez Guerrero, and
(Counts 20, 21, and 24)
5. Perla Corte Medina,
(Count 23)

Defendants.

No. CR-23-1465-PHX-MTL (ASB)

INDICTMENT

VIO: 18 U.S.C. § 924(a)(1)(A)
(False Statement During the
Purchase of a Firearm)
Counts 1-5, 11-15, and 20

18 U.S.C. §§ 922(a)(6) and 924(a)(2)
(Material False Statement During the
Purchase of a Firearm)
Counts 6-10, 16-19, and 21

18 U.S.C. § 554(a)
(Smuggling Goods from the United
States)
Counts 22-24

18 U.S.C. § 2
(Aiding and Abetting)
Counts 6-10, 16-19, and 21

18 U.S.C. §§ 924(d) and 981,
21 U.S.C. §§ 853 and 881,
26 U.S.C. § 5872, and
28 U.S.C. § 2461(c)
(Forfeiture Allegation)

THE GRAND JURY CHARGES:

COUNTS 1 – 5

On or about the dates listed below, in the District of Arizona, Defendant
GABRIELA ZEPEDA knowingly made false statements and representations to the

businesses listed below, each of which was licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of each listed business, in that Defendant GABRIELA ZEPEDA did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, in each of the counts below, stating that Defendant GABRIELA ZEPEDA resided at an address in San Luis, Arizona, whereas in truth and fact, Defendant GABRIELA ZEPEDA knew that she resided at a different address:

Count	Date	Business (Location)
1	8/13/2023	Firearms Unknown (Yuma)
2	8/23/2023	Jones & Jones (Somerton)
3	9/3/2023	Jones & Jones (Somerton)
4	9/9/2023	Jones & Jones (Somerton)
5	10/8/2023	Jones & Jones (Somerton)

In violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNTS 6 – 10

On or about the dates listed below, in the District of Arizona, Defendant GABRIELA ZEPEDA knowingly made false statements and representations in connection with the acquisition of a firearm to the businesses listed below, which were intended and likely to deceive the businesses as to a fact material to the lawfulness of a sale of a firearm by the business, each of which was licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of each listed business, in that Defendant GABRIELA ZEPEDA did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, in each of the counts below stating she was the actual transferee/buyer, whereas in truth in fact, she was purchasing the firearms on behalf of Defendant NOE OCTAVIO RODRIGUEZ

MACIAS:

Count	Date	Business (Location)
6	8/13/2023	Firearms Unknown (Yuma)
7	8/23/2023	Jones & Jones (Somerton)
8	9/3/2023	Jones & Jones (Somerton)
9	9/9/2023	Jones & Jones (Somerton)
10	10/8/2023	Jones & Jones (Somerton)

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

COUNTS 11 – 15

On or about the dates listed below, in the District of Arizona, Defendant DAMARYS ARIADNE ROMERO TAMAYO knowingly made false statements and representations to the businesses listed below, each of which was licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of each listed business, in that Defendant DAMARYS ARIADNE ROMERO TAMAYO did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, in each of the counts below, stating that Defendant DAMARYS ARIADNE ROMERO TAMAYO resided at an address in San Luis, Arizona, whereas in truth and fact, Defendant DAMARYS ARIADNE ROMERO TAMAYO knew that she resided at a different address:

Count	Date	Business (Location)
11	7/22/2023	Firearms Unknown (Yuma)
12	7/30/2023	Jones & Jones (Somerton)
13	9/3/2023	Jones & Jones (Somerton)
14	10/7/2023	Firearms Unknown (Yuma)
15	10/13/2023	Jones & Jones (Yuma)

In violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNTS 16 – 19

On or about the dates listed below, in the District of Arizona, Defendant DAMARYS ARIADNE ROMERO TAMAYO knowingly made false statements and representations in connection with the acquisition of a firearm to the businesses listed below, which were intended and likely to deceive the businesses as to a fact material to the lawfulness of a sale of a firearm by the business, each of which was licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of each listed business, in that Defendant DAMARYS ARIADNE ROMERO TAMAYO did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, in each of the counts below stating she was the actual transferee/buyer, whereas in truth in fact, she was purchasing the firearms on behalf of Defendant NOE OCTAVIO RODRIGUEZ MACIAS:

Count	Date	Business (Location)
16	7/22/2023	Firearms Unknown (Yuma)
17	7/30/2023	Jones & Jones (Somerton)
18	9/3/2023	Jones & Jones (Somerton)
19	10/7/2023	Firearms Unknown (Yuma)

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

COUNT 20

On or about the date listed below, in the District of Arizona, Defendant MARISSA GAMEZ GUERRERO knowingly made false statements and representations to the business listed below, which was licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of the listed business, in that Defendant MARISSA GAMEZ GUERRERO did execute a Department of Justice, Bureau

of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, in the count below, stating that Defendant MARISSA GAMEZ GUERRERO resided at an address in San Luis, Arizona, whereas in truth and fact, Defendant MARISSA GAMEZ GUERRERO knew that she resided at a different address:

Count	Date	Business (Location)
20	9/11/2023	Jones & Jones (Somerton)

In violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT 21

On or about the date listed below, in the District of Arizona, Defendant MARISSA GAMEZ GUERRERO knowingly made false statements and representations in connection with the acquisition of a firearm to the business listed below, which were intended and likely to deceive the business as to a fact material to the lawfulness of a sale of a firearm by the business, which was licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of the listed business, in that Defendant MARISSA GAMEZ GUERRERO did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, in the count below stating she was the actual transferee/buyer, whereas in truth in fact, she was purchasing the firearm on behalf of Defendant NOE OCTAVIO RODRIGUEZ MACIAS:

Count	Date	Business (Location)
21	9/11/2023	Jones & Jones (Somerton)

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

COUNT 22

On or about October 8, 2023, in the District of Arizona, Defendant GABRIELA ZEPEDA knowingly and fraudulently exported and sent from the United States, and attempted to export and send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, and received, concealed, bought,

1 sold, and in any manner facilitated the transportation, concealment, and sale of such
2 merchandise, article or object, that is:

- 3 • Glock, G19 Gen 5, 9mm Pistol, Serial Number: CASU094;
- 4 • Glock, G19 Gen 5, 9mm Pistol, Serial Number: CAA6868; and,
- 5 • Carl Walther, 1911 Gov., .22 Pistol, Serial Number: WD080531;

6 knowing the same to be intended for exportation contrary to any law or regulation of the
7 United States, to wit: Title 50, United States Code, Section 4819; and Title 15, Code of
8 Federal Regulations, Parts 736.2, 738, and 774.

9 In violation of Title 18, United States Code, Section 554(a).

10 **COUNT 23**

11 On or about October 13, 2023, in the District of Arizona, Defendant PERLA
12 CORTE MEDINA knowingly and fraudulently exported and sent from the United States,
13 and attempted to export and send from the United States, any merchandise, article, or object
14 contrary to any law or regulation of the United States, and received, concealed, bought,
15 sold, and in any manner facilitated the transportation, concealment, and sale of such
16 merchandise, article or object, that is:

- 16 • Glock, G22 Gen 4, .40 caliber Pistol, Serial Number: VYR853;
- 17 • Glock, G19 Gen 4, 9mm Pistol, Serial Number: BCWK960; and,
- 18 • Glock, G45 Gen 5, 9mm Pistol, Serial Number: BXDZ965;

19 knowing the same to be intended for exportation contrary to any law or regulation of the
20 United States, to wit: Title 50, United States Code, Section 4819; and Title 15, Code of
21 Federal Regulations, Parts 736.2, 738, and 774.

22 In violation of Title 18, United States Code, Section 554(a).

23 **COUNT 24**

24 On or about October 13, 2023, in the District of Arizona, Defendants MARISSA
25 GAMEZ GUERRERO and NOE OCTAVIO RODRIGUEZ MACIAS knowingly and
26 fraudulently exported and sent from the United States, and attempted to export and send
27 from the United States, any merchandise, article, or object contrary to any law or regulation
28 of the United States, and received, concealed, bought, sold, and in any manner facilitated
the transportation, concealment, and sale of such merchandise, article or object, that is:

- Glock, G17 Gen 5, 9mm Pistol, Serial Number: CAGP137;
- Glock, G17 Gen 5, 9mm Pistol, Serial Number: CAGP138;
- Carl Walther, 1911 Gov., .22 Pistol, Serial Number: WD078613;
- Carl Walther, 1911 Gov., .22 Pistol, Serial Number: WD085814; and,
- Carl Walther, 1911 Gov., .22 Pistol, Serial Number: WD078627;

knowing the same to be intended for exportation contrary to any law or regulation of the United States, to wit: Title 50, United States Code, Section 4819; and Title 15, Code of Federal Regulations, Parts 736.2, 738, and 774.

In violation of Title 18, United States Code, Section 554(a).

FORFEITURE ALLEGATION

The Grand Jury realleges and incorporates the allegations of Counts 1-24 of this Indictment, which are incorporated by reference as though fully set forth herein.

Pursuant to 18 U.S.C. §§ 924(d) and 981, 21 U.S.C. §§ 853 and 881, 26 U.S.C. § 5872, and 28 U.S.C. § 2461(c), and upon conviction of the offenses alleged in Counts 1-24 of this Indictment, Defendants shall forfeit to the United States of America all right, title, and interest in (a) any property constituting, or derived from, any proceeds the persons obtained, directly or indirectly, as the result of the offense, and (b) any of Defendants' property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense as to which property Defendants are liable, including, but not limited to, the following property involved and used in the offense:

1. Glock, G19 Gen 5, 9mm Pistol, Serial Number: CASU094;
2. Glock, G19 Gen 5, 9mm Pistol, Serial Number: CAA6868;
3. Carl Walther, 1911 Gov., .22 Pistol, Serial Number: WD080531;
4. Glock, G22 Gen 4, .40 caliber Pistol, Serial Number: VYR853;
5. Glock, G19 Gen 4, 9mm Pistol, Serial Number: BCWK960;
6. Glock, G45 Gen 5, 9mm Pistol, Serial Number: BXDZ965;
7. Glock, G17 Gen 5, 9mm Pistol, Serial Number: CAGP137;
8. Glock, G17 Gen 5, 9mm Pistol, Serial Number: CAGP138;
9. Carl Walther, 1911 Gov., .22 Pistol, Serial Number: WD078613;

1 10. Carl Walther, 1911 Gov., .22 Pistol, Serial Number: WD085814; and

2 11. Carl Walther, 1911 Gov., .22 Pistol, Serial Number: WD078627;

3 If any of the above-described forfeitable property, as a result of any act or omission
4 of Defendants:

5 (1) cannot be located upon the exercise of due diligence,

6 (2) has been transferred or sold to, or deposited with, a third party,

7 (3) has been placed beyond the jurisdiction of the court,

8 (4) has been substantially diminished in value, or

9 (5) has been commingled with other property which cannot be divided without
10 difficulty,

11 it is the intent of the United States to seek forfeiture of any other property of said
12 Defendants up to the value of the above-described forfeitable property, pursuant to 21
13 U.S.C. § 853(p).

14 All in accordance with 18 U.S.C. §§ 924(d) and 981, 21 U.S.C. §§ 853 and 881,
15 26 U.S.C. § 5872, 28 U.S.C. § 2461(c), and Rule 32.2, Federal Rules of Criminal
16 Procedure.

17 A TRUE BILL

18
19 S/
FOREPERSON OF THE GRAND JURY
Date: October 25, 2023

20
21 GARY M. RESTAINO
United States Attorney
District of Arizona

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23 S/
ADDISON SANTOME
24 Assistant U.S. Attorney
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